

Message Text

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INFO OCT-01 EUR-25 EA-11 IO-14 ISO-00 SR-02 VO-03 SCA-01

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FM SECSTATE WASHDC

TO USMISSION GENEVA

AMEMBASSY ATHENS

INFO AMEMBASSY NICOSIA

AMEMBASSY LISBON

AMEMBASSY SAIGON

C O N F I D E N T I A L STATE 101221

TAGS:SERF, PFOR, CVIS, GR, CY, PO, VS

SUBJECT:REFUGEE ASYLUM SEEKERS FROM EASTERN EUROPE

1. DEPARTMENT WELCOMES GENEVA SUGGESTION AND BELIEVES ITS IMPLEMENTATION WOULD CONSIDERABLY SIMPLIFY PRESENT PROBLEMS FACED IN HANDLING ASYLUM REQUESTS AT DIPLOMATIC MISSIONS ABROAD. FOLLOWING ARE DEPARTMENT COMMENTS ON REFTEL.

2. AS GENEVA AWARE, SUBSTANTIAL NUMBERS OF EASTERN EUROPEANS ANNUALLY REQUEST ASYLUM AT U.S. DIPLOMATIC POSTS ABROAD. AT TOO MANY OF THESE POSTS WE ARE FACED WITH THE PROSPECT THAT THE REFUGEE WILL BE RETURNED TO THE COUNTRY
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OF HIS NATIONALITY BY HOST GOVERNMENT. IN CASES WHERE THERE

IS NO DANGER OF FORCIBLE REPATRIATION AND LOCAL AUTHORITIES CAN BE EXPECTED TO ASSUME RESPONSIBILITY FOR THE REFUGEE, DEPARTMENT PREFERS THAT ASYLUM SEEKERS BE REFERRED TO HOST GOVERNMENT. U.S. HAS HELD THAT ASYLUM IS THE RIGHT AND RESPONSIBILITY OF THE COUNTRY IN WHICH THE ASYLUM REQUEST IS MADE. WE WOULD WISH TO CONTINUE THIS PRACTICE TO THE MAXIMUM EXTENT POSSIBLE. WE WISH TO ENCOURAGE OTHER COUNTRIES, PARTICULARLY THOSE WHICH ARE SIGNATORY TO PROTOCOL AND CONVENTION RELATING TO THE STATUS OF REFUGEES, TO ASSUME THEIR RESPONSIBILITIES IN REFUGEE CASES.

3. IN CASES WHERE THERE IS A DANGER OF FORCIBLE REPATRIATION, DEPARTMENT PREFERS THAT THE REFUGEE BE PLACED IN REGULAR REFUGEE CHANNELS AND BE PROCESSED FOR RESETTLEMENT BY THE U.S. REFUGEE PROGRAM WITH VOLUNTARY AGENCY ASSISTANCE INSTEAD OF ADMITTING THE REFUGEE DIRECTLY INTO THE U.S. THE ONLY WAY THESE REFUGEES CAN BE ADMITTED INTO THE U.S. DIRECTLY IS THROUGH PAROLE. AS TIME IS OF THE ESSENCE IN ASYLUM CASES SUCH PAROLE AUTHORITY MUST BE OBTAINED FROM THE IMMIGRATION SERVICE (INS) USUALLY WITHOUT PROPER SECURITY INFORMATION ON THE APPLICANT. INS IS NATURALLY RELUCTANT TO USE ITS PAROLE AUTHORITY IN SUCH INSTANCES.

4. THE MOST DIFFICULT ASPECT OF HANDLING ASYLUM REQUESTS IN COUNTRIES WHERE THERE IS DANGER OF FORCIBLE RETURN HAS BEEN IN OBTAINING AN ENTRY VISA FROM A COUNTRY WHERE THE REFUGEE CAN BE PROCESSED UNDER USRP-I.E. ITALY, FRANCE, AUSTRIA, GERMANY, GREECE, LEBANON. CONSULATES OF THESE COUNTRIES USUALLY HAVE TO REFER VISA APPLICATIONS TO HOME OFFICES WHICH CAN TAKE AS LONG AS TEN DAYS.

5. DEPARTMENT WOULD WELCOME APPROACH BY ICEM AND UNHCR TO GOG TO ENABLE SWIFT TRANSFER OF INDIVIDUAL CASES TO GREECE WHEN SUCH ACTION IF NECESSARY. RESETTLEMENT EFFORTS COULD THEN BE MADE WITHOUT PRESSURE OF TIME. AGREE WITH MISSION THAT USG NOT GET OUT IN FRONT AND THAT INITIATIVES BE LEFT TO UNHCR AND ICEM. RUSH

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